REMARKS

Claims 1-20 were pending in the application. The Office action rejected claims 1-3, 7-9, 13, 15-16, and 18-20 under 35 U.S.C. § 103(a) over Galyas (WO 00/42789) and claims 4-6, 10-12, 14 and 17 under 35 U.S.C. § 103(a) over Galyas in view of Applicants Admitted Prior Art (AAPA). By way of this amendment claims 1-20 are canceled and new claims 21-29 are presented for consideration. The applicants respond to the Galyas art and its combination with AAPA as follows.

SECTION 103(A) REJECTIONS

New claim 21 recites, in part, "the queue priority determined at least in part according to whether the communication signal is one of a standard call mode and a bypass call mode." As described in the specification, the standard mode call is routed between a mobile device and a landline device. Such calls require transcoding. Calls routed between mobile devices often do not require transcoding and can be routed directly between base stations. The current application refers to this direct routing without coding as bypass call mode. Galyas refers to this mode as TFO (tandem free operation).

Galyas does not teach or suggest prioritization according to whether the communication signal is one of a standard call mode or a bypass call mode. Instead, Galyas prioritizes routing by determining if a communication message is either interactive speech or non-interactive speech/data. A priority is assigned as a function of speech activity, "The Tabis is a function of the speech activity (e.g., speech=1, non-speech=0), ..." page 7, lines 20-21. Delays are then categorized and applied to transmissions, "[t]he transmission delay for the non-interactive communications of TS0, however, significantly lengthens. The effect is thus to reduce the transmission delay for TS1 to TS7 and increase the delay for TS0," page 9, lines 20-23. Galyas teaches this method of classification whether TFO is used or not. "When using TFO signaling, indicating the priority level of transmissions (e.g., identifying the non-interactive speech calls) may be accomplished by using the IS_System_Identification_Block," page 13, lines 29-31.

There is a clear distinction between the speech/non-speech classification of Galyas and bypass mode (TFO)/standard mode (non-TFO) prioritization as claimed. Galyas

prioritizes by data content, that is, the type of message contained in a packet. A device as claimed prioritizes on a packet's mode classification, not packet contents. Accordingly, Galyas does not teach or suggest all the elements of claim 21.

The AAPA also does not teach the element of queuing priority based on bypass call mode/standard call mode . Therefore, Galyas alone or in combination with the AAPA does not teach all the limitations of claim 21 and thus claim 21 is allowable. See MPEP 2143.03, "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." New claims 22-25 are therefore also allowable.

Similarly, new independent claim 26 recites, in part, "assigning a lower queue value to the communication signal when the communication signal is a bypass mode call than when the communication signal is a standard mode call." For the same reasons stated above, Galyas does not teach or suggest this element of claim 26. Therefore claim 26 and its dependent claims 27-29 are also allowable.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. No fees are believed due, but should one be required, the Commissioner is directed to Deposit Account 13-2855.

Dated: July 6, 2004

Respectfully submitted,

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